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EXAMINER

PESIN, BORIS M

ART UNIT

PAPER NUMBER

2174

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/862,390 | Applicant(s) PADAWER ET AL. | |
| | Examiner BORIS PESIN | Art Unit 2174 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6,7,11,12,16,17,21,22,26,27 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,11,12,16,17,21,22,26,27 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 1/23/2009.

Claims 1, 2, 6, 7, 11, 12, 16, 17, 21, 22, 26, 27, and 31 are pending in this application. Claims 1, 11, 21, and 31 are independent claims. In the amendment filed 1/23/2009, Claims 1, 11, 21, and 31 were amended. This action is made Non-Final.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/23/2009 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 2, 6, 7, 11, 12, 16, 17, 21, 22, 26, 27, and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the

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inventor(s), at the time the application was filed, had possession of the claimed invention.

The Examiner cannot find support in the specification, as filed, for the added limitations "a plurality of user applications statuses from a plurality of user applications." The specification appears to teach that a mobile device can have many different states; however, the specification does not appear to teach that there is a plurality of user application statuses from a plurality of user applications.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickman et al. (US 5877765) in view of Ivens Kathy (Optimizing the Windows Registry) further in view of Farry et al. (US 5721850).

For the purposes of this examination, the Examiner is interpreting a mobile telephone to be a laptop computer with a modem. It is well known that a laptop with a modem can act as a mobile phone.

In regards to claim 1, Dickman teaches a method for providing shortcuts in a mobile telephone, the method comprising:

a collective application neutral shortcut data store that maintains shortcut data for a plurality of application types, wherein the shortcut data store includes a lookup table, wherein the targets comprise application targets and content targets (See Figure 4, Elements 56, 52, and all the other icons on the screen; Column 11 Lines 30-37);

monitoring user input to the mobile electronic device from a shortcut application (Column 6, Lines 21-48, since Dickman's invention teaches a general operating system it is inherent that it runs on a laptop computer which is a mobile electronic device);

determining whether the user input is a shortcut input, wherein the shortcut input comprises a shortcut tag associated with an application neutral shortcut applicant, and further wherein the shortcut corresponds to a shortcut target in the lookup table of the collective application neutral shortcut data store (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48);

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locating the shortcut target in the lookup table based on the shortcut tag wherein the user input is a shortcut input(See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48);

executing the application of the mobile telephone associated with the target when the located shortcut target is an application (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48, i.e. internet browser); and

executing the application of the mobile telephone associated with the target and automatically opening the content data when the shortcut target is a content target (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48, i.e. opens the internet browser to a specific web page).

Dickman does not specifically teach a lookup table that links a plurality of different shortcut tag types to different types of targets. However, Dickman alludes to using a registry to locate the appropriate client application (See Column 11, Lines 30-47). Ivens further adds,

HKEY_CLASSES_ROOT is the same for Windows 95, Windows 98, and Windows NT 4. This section of the registry is in charge of three important tasks:

- Keeping track of the file extensions and their associations with file types. A group of file extension subkeys is devoted to this purpose.
- Keeping track of the programs associated with the file types that are registered in the system. A group of class-definition subkeys is devoted to this information.
- Keeping track of information about OLE objects and documents. Within the subkey \CLSID are the class identifier subkeys that are devoted to tracking this information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dickman with the teachings of Ivens and include a robust lookup

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table (i.e. registry) with the motivation to provide the user a simple and convenient method of accessing many different applications and application types using shortcuts.

Dickman-Ivens do not specifically teach providing an application neutral shortcut application, wherein the application neutral shortcut application is independently accessible from a plurality of user application statuses from a plurality of user applications of the mobile telephone, wherein the application neutral shortcut application includes a user interface that is independently accessible from the plurality of user applications statuses from a plurality of user applications of the mobile telephone, wherein the user interface includes a list of editable shortcuts associated with the user applications of the mobile telephone, wherein the user interface includes a shortcut tag type indication associated with each of the editable shortcuts that indicates the type of shortcut tag for accessing a target of one of the applications of the mobile telephone, and linking the application neutral shortcut to a collective application shortcut data store.

Farry teaches providing an application neutral shortcut application, wherein the application neutral shortcut application is independently accessible from a plurality of user application statuses from a plurality of user applications of the mobile telephone (See Column 4, Lines 7-22, "navigator function" inherent that the applications will have a plurality of statuses), wherein the application neutral shortcut application includes a user interface that is independently accessible from the plurality of user applications statuses from a plurality of user applications of the mobile telephone (See Column 4, Lines 7-22, "navigator function"), wherein the user interface includes a list of editable

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shortcuts associated with the user applications of the mobile telephone, wherein the user interface includes a shortcut tag type indication associated with each of the editable shortcuts that indicates the type of shortcut tag for accessing a target of one of the applications of the mobile telephone (Column 13, Lines 23-37) and linking the application neutral shortcut to a collective application shortcut data store (Column 4, Lines 43-45). It would have been obvious to one of ordinary skill in the art to modify Dickman-Ivens with the teachings of Ferry and include an application neutral shortcut application with the motivation to provide the user with a quicker method of accessing applications without the need to access the desktop first (as in Dickman).

In regards to claim 2, Dickman-Ivens-Ferry teaches all the limitations of claim 1. Dickman further teaches a method wherein the types of targets include at least one selected from a group comprising: telephone numbers, email address, uniform resource locator (URL), and contact cards (See Figure 4, Elements 56 and 52).

In regards to claim 6, Dickman-Ivens-Ferry teaches all the limitations of claim 1. Dickman further teaches a method wherein the shortcut input comprises more than one type (See Figure 4, Elements 56 and 52, the user can either double click to trigger the action or just press enter).

In regards to claim 7, Dickman-Ivens-Ferry teaches all the limitations of claim 6. Dickman further teaches a method wherein the types of shortcut input include at least one selected from a group comprising: a speed dial input, a voice input, a menu item

selection input, and an icon selection input (See Figure 4, Elements 56 and 52, the user can either double click to trigger the action or just press enter).

Claims 11, 12, 16, 17, 21, 22, 26, 27, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickman et al. (US 5877765) in view of Ivens Kathy (Optimizing the Windows Registry) in view of Farry et al. (US 5721850) further in view of Mingot et al. (US 6762692).

In regards to claim 21, Dickman teaches a method for providing shortcuts in a mobile electronic device, the method comprising:

a collective application neutral shortcut data store that maintains shortcut data for a plurality of application types, wherein the shortcut data includes a lookup table that links a plurality of different shortcut tag types, wherein the targets comprise application targets and content targets, wherein the content targets include a target to content data within an application that is navigatable to after the initial launch of the application (See Figure 4, Elements 56, 52, and all the other icons on the screen; Column 11 Lines 30-37);

monitoring user input to the mobile electronic device from the application neutral shortcut application (Column 6, Lines 21-48, since Dickman's invention teaches a general operating system it is inherent that it runs on a laptop computer which is a mobile electronic device);

determining whether the user input is a shortcut input, wherein the shortcut input comprises a shortcut tag associated with an application neutral shortcut application, and

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further wherein the shortcut corresponds to a shortcut target in the lookup table of the collective application neutral shortcut data store (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48);

locating the shortcut target in the lookup table based on the shortcut tag wherein the user input is a shortcut input (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48);

executing the application of the electronic mobile device associated with the target when the located shortcut target is an application (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48, i.e. internet browser); and

executing the application of the mobile electronic device associated with the target and automatically opening the content data when the shortcut target is a content target (See Figure 4, Elements 56 and 52 and Column 6, Lines 21-48, i.e. opens the internet browser to a specific web page).

Dickman does not specifically teach a lookup table that links tags with different types of targets. However, Dickman alludes to using a registry to locate the appropriate client application (See Column 11, Lines 30-47). Ivens further adds,

HKEY_CLASSES_ROOT is the same for Windows 95, Windows 98, and Windows NT 4. This section of the registry is in charge of three important tasks:

- Keeping track of the file extensions and their associations with file types. A group of file extension subkeys is devoted to this purpose.
- Keeping track of the programs associated with the file types that are registered in the system. A group of class-definition subkeys is devoted to this information.

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- Keeping track of information about OLE objects and documents. Within the subkey \CLSID are the class identifier subkeys that are devoted to tracking this information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dickman with the teachings of Ivens and include a robust lookup table (i.e. registry) with the motivation to provide the user a simple and convenient method of accessing many different applications and application types using shortcuts.

Dickman-Ivens do not specifically teach providing an application neutral shortcut application, wherein the application neutral shortcut application is independently accessible from a plurality of user application statuses from a plurality of user applications of the mobile telephone, wherein the application neutral shortcut application includes a user interface that is independently accessible from the plurality of user applications statuses from a plurality of user applications of the mobile telephone, wherein the user interface includes a list of editable shortcuts associated with the user applications of the mobile telephone, wherein the user interface includes a shortcut tag type indication associated with each of the editable shortcuts that indicates the type of shortcut tag for accessing a target of one of the applications of the mobile telephone, and linking the application neutral shortcut to a collective application shortcut data store.

Farry teaches providing an application neutral shortcut application, wherein the application neutral shortcut application is independently accessible from a plurality of user application statuses from a plurality of user applications of the mobile telephone (See Column 4, Lines 7-22, "navigator function" inherent that the applications will have a plurality of statuses), wherein the application neutral shortcut application includes a

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user interface that is independently accessible from the plurality of user applications statuses from a plurality of user applications of the mobile telephone (See Column 4, Lines 7-22, "navigator function"), wherein the user interface includes a list of editable shortcuts associated with the user applications of the mobile telephone, wherein the user interface includes a shortcut tag type indication associated with each of the editable shortcuts that indicates the type of shortcut tag for accessing a target of one of the applications of the mobile telephone (Column 13, Lines 23-37) and linking the application neutral shortcut to a collective application shortcut data store (Column 4, Lines 43-45). It would have been obvious to one of ordinary skill in the art to modify Dickman-Ivens with the teachings of Ferry and include an application neutral shortcut application with the motivation to provide the user with a quicker method of accessing applications without the need to access the desktop first (as in Dickman).

Dickman-Ivens-Ferry do not specifically teach a method wherein the shortcut tag types include at least one member of a group comprising: a speed dial shortcut tag and a voice shortcut tag. Mingot teaches including voice shortcut tags ("According to a particularly advantageous embodiment of the invention, the voice control makes it possible to access certain functional features directly without going via successive steps as in the case where the buttons of the remote control device are used. In this case, one will speak of "voice shortcuts". For example, to change the picture display format on the screen and switch to a 16/9 display format (when the current format is 4/3 for example), it is sufficient for the user to utter the words "sixteen ninth" in front of the mike of the remote control device so that the corresponding command is sent to the

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circuits 52 (FIG. 3) of the television and so that the display format is modified accordingly.” (See Column 5, Lines 20-31). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dickman-Ivens with the teachings of Mingot and include voice shortcut tags with the motivation to provide the user a simpler and quicker method of entering commands.

In regards to claim 22, Dickman-Ivens-Farry-Mingot teaches all the limitations of claim 1. Dickman further teaches a method wherein the types of targets include at least one selected from a group comprising: telephone numbers, email address, uniform resource locator (URL), and contact cards (See Figure 4, Elements 56 and 52).

In regards to claim 26, Dickman-Ivens-Farry-Mingot teaches all the limitations of claim 1. Dickman further teaches a method wherein the shortcut input comprises more than one type (See Figure 4, Elements 56 and 52, the user can either double click to trigger the action or just press enter).

In regards to claim 27, Dickman-Ivens-Farry-Mingot teaches all the limitations of claim 6. Dickman further teaches a method wherein the types of shortcut input include at least one selected from a group comprising: a speed dial input, a voice input, a menu item selection input, and an icon selection input (See Figure 4, Elements 56 and 52, the user can either double click to trigger the action or just press enter).

Claim 31 is similar in scope to claim 21 and is therefore rejected under similar rationale.

Claims 11, 12, 16, and 17 are similar in scope to claims 21, 22, 26, 27, respectively, and are therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 1/23/2009 have been fully considered but they are not persuasive.

In regards to the Applicant's arguments that the prior art does not teach "providing an application neutral shortcut application, wherein the application neutral shortcut application is independently accessible from a plurality of user application statuses from a plurality of user applications of the mobile telephone, wherein the application neutral shortcut application includes a user interface that is independently accessible from the plurality of user application statuses from a plurality of user applications of the mobile telephone," the Examiner respectfully disagrees. An application has to have more than one state; otherwise it would not be an application but rather a static image on the screen. Farry teaches intercepting user commands from an application before they reach an application in order to access an application neutral shortcut application. (See rejection of claim 1) Thus, the combination of Dickman-Ivens-Farry teaches, providing an application neutral shortcut application, wherein the application neutral shortcut application is independently accessible from a plurality of user application statuses from a plurality of user applications of the mobile telephone, wherein the application neutral shortcut application includes a user interface

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that is independently accessible from the plurality of user application statuses from a plurality of user applications of the mobile telephone

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/
Examiner, Art Unit 2174